



COUNTY OF LOS ANGELES

CLAIMS BOARD

500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

MEMBERS OF THE BOARD

John Naimo
Auditor-Controller
Laurie Milhiser
Chief Executive Office
Patrick A. Wu
Office of the County Counsel

NOTICE OF SPECIAL MEETING

The County of Los Angeles Claims Board will hold a special meeting on **Thursday, April 5, 2012, at 8:00 a.m.**, in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

AGENDA

1. Call to Order.
2. Opportunity for members of the public to address the Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board.
3. Closed Session - Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Government Code Section 54956.9).

- a. Denise Hines, et al. v. County of Los Angeles
Los Angeles Superior Court Case No. BC 445 797

This wrongful death lawsuit arises from injuries sustained by a patient while hospitalized at Los Angeles County + University of Southern California Medical Center; settlement is recommended in the amount of \$299,999, plus the assumption of the Medicare lien in the estimated amount of \$38,875.22.

See Supporting Documents

- b. Rene Wolf v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 447 785; and
United States District Court Case No. CV 09-03601

This lawsuit concerns allegations of retaliation by an employee of the Office of Public Safety; settlement is recommended in the amount of \$50,000.

4. Report of actions taken in Closed Session.
5. Approval of the minutes of the March 19, 2012, and April 2, 2012, regular meetings of the Claims Board.

[See Supporting Documents](#)

6. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Denise Hines, et al. v. County of Los Angeles
CASE NUMBER	BC 445797
COURT	Los Angeles Superior Court Central District
DATE FILED	September 17, 2010
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$299,999, plus the assumption of the Medicare lien in the estimated amount of \$38,875.22.
ATTORNEY FOR PLAINTIFF	Shirley K. Watkins Law Offices of Michels & Watkins
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian
NATURE OF CASE	<p>On October 14, 2009, Burleigh Hines, a 77-year-old male, was admitted to LAC+USC Medical Center. On October 20, 2009, the patient was found on the floor.</p> <p>Diagnostic tests showed that the patient had a bleeding in his brain. The patient's condition deteriorated, and on November 9, 2009, the patient died.</p> <p>Mr. Hines' family brought an action against the County of Los Angeles, claiming that the staff at LAC+USC Medical Center were negligent in allowing the patient to fall from his bed thereby causing injuries that contributed to the death of the patient.</p>

PAID ATTORNEY FEES, TO DATE	\$18,704
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PAID COSTS, TO DATE	\$313.67
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Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	10/20/09
Briefly provide a description of the incident/event:	On October 14, 2009, Burleigh Hines, a 77-year-old male, was admitted to LAC+USC Medical Center. On October 20, 2009, the patient was found on the floor. Diagnostic tests showed that the patient had bleeding in his brain. The patient's condition deteriorated, and on November 9, 2009, the patient died.

1. Briefly describe the root cause(s) of the claim/lawsuit:

- Bleeding in the brain after a fall resulting in death

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

- All appropriate personnel corrective actions have been taken
- A system wide and outside-DHS survey was conducted to determine the practices in place for assessing patients for risk of falls. All DHS acute care facilities have a process in place to assess patients for risk of falls. DHS is standardizing the tool used for this assessment.
- A system wide survey was conducted to determine the preventative measures in place to reduce the risk of falls. It was determined that each DHS acute care facility utilizes preventative measures to reduce the risk of falls.
- A system wide survey was conducted to determine chain-of-command procedures for nursing staff. It was determined that all DHS acute care facilities have a chain-of-command policy for nurses to follow.
- A system wide survey was conducted to identify the procedures for medication order processing. It was determined that all of the DHS acute care facilities have guidelines in place for medication order processing, including discontinuation, STAT orders, and 'black box warning' medications.

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management for assistance)

- ☐ Potentially has County-wide implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- X Does not appear to have County-wide or other department implications.

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator) <i>Kimberly McKenna</i>	
Signature: <i>K McKenna</i>	Date: <i>10/18/11</i>

Name: (Department Head) <i>Hal Yee</i>	
Signature: <i>Hal Yee</i>	Date: <i>11/16/11</i>

Chief Executive Office Risk Management

Name: <i>LEO COSTANTINO</i>	
Signature: <i>[Signature]</i>	Date: <i>10-18-2011</i>

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

March 19, 2012

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 8:03 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Claims Board Members present at the meeting were: John Naimo, Laurie Milhiser, and Patrick Wu.

Other persons in attendance at the meeting were: Office of the County Counsel: Brian Chu, Stacey Lee, and Brandon Nichols; Department of Public Social Services: Sharon Fisher and Mai Dinh; Fire Department: Michael Kranther; Department of Parks and Recreation: Dave Waage and Anush Gambaryan; Department of Human Resources: Cecile Ochoa; Outside Counsel: Eric C. Brown.

2. Opportunity for members of the public to address the Claims Board on items of interest within the subject matter jurisdiction of the Claims Board.

No members of the public addressed the Claims Board.

3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code Section 54956.9).

At 8:04 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(c) below.

4. Report of actions taken in Closed Session.

At 9:14 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

a. Pearl Livermore v. County of Los Angeles Los Angeles Superior Court Case No. GC 040 583

This dangerous condition lawsuit arises from injuries received from a slip and fall accident at a County park.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$45,000.

Vote: Ayes: 3 - John Naimo, Laurie Milhiser, and Patrick Wu

b. **Eric Jett v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 448 935

This lawsuit concerns allegations that a firefighter trainee was terminated from the Firefighter Academy based on racial discrimination and retaliation.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$40,000.

Vote: Ayes: 3 - John Naimo, Laurie Milhiser, and Patrick Wu

c. **Claim of Alva Nunez**

This claim alleges that an employee of the Department of Public Social Services was subjected to sexual harassment.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$100,000.

Vote: Ayes: 3 - John Naimo, Laurie Milhiser, and Patrick Wu

5. **Approval of the minutes of the March 5, 2012, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 - John Naimo, Laurie Milhiser, and Patrick Wu

6. **Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.**

No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 9:20 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By Carol J. Slosson
Carol J. Slosson

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

APRIL 2, 2012

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:33 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Claims Board Members present at the meeting were: John Naimo, Laurie Milhiser; with Patrick Wu being absent.

Other persons in attendance at the meeting were: Office of the County Counsel: Narbeh Bagdasarian; Department of Health Services: Nicholas Testa, Bonnie Bilitch, Karen M. Lampeat, Irene Recendez and Kim McKenzie.

2. Opportunity for members of the public to address the Claims Board on items of interest within the subject matter jurisdiction of the Claims Board.

No members of the public addressed the Claims Board.

3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code Section 54956.9).

At 9:34 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(b) below.

4. Report of actions taken in Closed Session.

Upon learning that the April 2, 2012, Claims Board Agenda had not been properly posted according to Brown Act regulations, at 10:00 a.m., the Claims Board reconvened in open session and immediately adjourned without taking any actions.

a. Denise Hines, et al. v. County of Los Angeles Los Angeles Superior Court Case No. BC 445 797

This wrongful death lawsuit arises from injuries sustained by a patient while hospitalized at Los Angeles County + University of Southern California Medical Center; settlement is recommended in the amount of \$299,999, plus the assumption of the Medicare lien in the estimated amount of \$38,875.22.

Action Taken:

No Reportable Action Taken.

- b. **Rene Wolf v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 447 785; and
United States District Court Case No. CV 09-03601

This lawsuit concerns allegations of retaliation by an employee of the Office of Public Safety; settlement is recommended in the amount of \$50,000.

Action Taken:

No Reportable Action Taken.

5. **Approval of the minutes of the March 19, 2012, regular meeting of the Claims Board.**

Action Taken:

No Reportable Action Taken.

6. **Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.**

No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 10:00 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By Carol J. Slosson
Carol J. Slosson